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MISSOULA, MT

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PATRICK E. DUFFY

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

DOUG F. RAYMOS,)	CV 06-154-M-DWM
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
SHERIFF HUGH HOPWOOD;)	
UNDERSHERIFF MIKE JOHNSON;)	
OFFICER KEITH MILES,)	
)	
Defendants.)	
)	

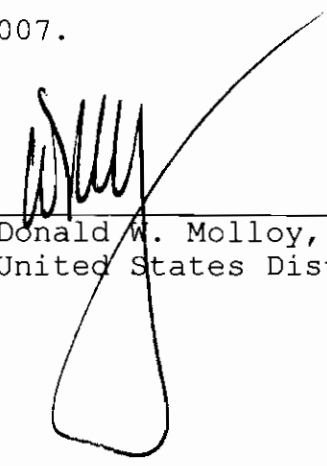
On February 1, 2007, default was entered against Defendants in the above-captioned action after they failed to answer Plaintiff's Complaint. On March 23, 2007, United States Magistrate Judge Jeremiah C. Lynch entered Findings and Recommendation in the matter, recommending that default judgment be entered in favor of Plaintiff and against Defendants. Judge Lynch recommended awarding damages in the amount of \$300.00 (\$10.00 for each of the thirty days Plaintiff was in lockdown) and costs. Plaintiff timely objected to the Findings and Recommendation and thus is entitled to de novo review of the

record. 28 U.S.C. § 636(b)(1).

Plaintiff does not dispute that \$10.00 per day is an adequate measure of damages. Instead, he claims he spent thirty-seven days in lockdown and asks for an award of \$370.00 in damages. Plaintiff's objection is well-taken. The incident report attached to Plaintiff's objections indicates Plaintiff was given thirty days lockdown on September 3, 2006 and an additional seven days lockdown on September 4, 2006.

Accordingly, IT IS HEREBY ORDERED that the Clerk of Court is directed to enter default judgment in favor of Plaintiff and against Defendants, jointly and severally, in the amount of \$370.00, plus costs in the amount of \$350.00.

Dated this 24th day of April, 2007.



Donald W. Molloy, Chief Judge
United States District Court